

067074-0312021
PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

John Jenkins

Serial No.: 10/509,143

Filed: September 27, 2004

For: USE OF TOPOISOMERASE
INHIBITORS AND HEAT
SHOCK PROTEIN 90
INHIBITORS FOR USE IN
CHEMOTHERAPY

Art Unit: Unassigned

Examiner: Unassigned

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Dear Sir:

In response to the Notification of Missing Requirements mailed on June 17, 2005, enclosed is an inventors' declaration submitted pursuant to 37 C.F.R. § 1.497 (a) and (b). This response is being timely filed.

CONCLUSION

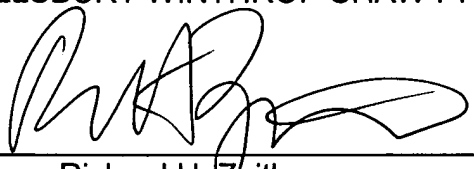
07/20/2005 GFREY1 Please proceed to examine the patent application submitted on the above-noted
01 FC:2617 filing date. 67-40 DA

If it should be determined, for any reason, that an insufficient fee has been paid, please charge any insufficiency to ensure consideration of the present application to Deposit Account No. 16-1805.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP

Date: July 12, 2005

By: 
Richard H. Zaitlen
Registration No. 27,248
Attorney for Applicant(s)

725 South Figueroa Street
Suite 2800
Los Angeles, CA 90017-5406

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Facsimile: (213) 629-1033

CERTIFICATION UNDER 37 C.F.R. §§ 1.8 and/or 1.10*

(When using Express Mail, the Express Mail label number is *mandatory*; Express Mail certification is *optional*.)

I hereby certify that, on the date shown below, this paper (along with any paper referred to as being attached or enclosed) is being


Signature

Date: June 12, 2005

LINDA E. BAKKE

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

10/509,143

John Jenkins

067074-
0312021/PCB/JM/P08

INTERNATIONAL APPLICATION NO.

PCT/GB03/01369

LA. FILING DATE

PRIORITY DATE

03/28/2003

03/28/2002

CONFIRMATION NO. 4049

371 FORMALITIES LETTER



OC000000016310646

27496

PILLSBURY WINTHROP SHAW PITTMAN LLP
725 S. FIGUEROA STREET
SUITE 2800
LOS ANGELES, CA 90017

RECEIVED

JUN 21 2005

Pillsbury Winthrop LLP

Date Mailed: 06/17/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/27/2004
- Copy of the International Search Report filed on 09/27/2004
- Copy of IPE Report filed on 09/27/2004
- Preliminary Amendments filed on 09/27/2004
- Request for Immediate Examination filed on 09/27/2004
- U.S. Basic National Fees filed on 09/27/2004
- Priority Documents filed on 09/27/2004

RECEIVED

PILLSBURY WINTHROP LLP/LA

JUN 21 2005

CL# 067074 Int# 0312021
ATTY(S) Marks & Clark, Leeds
DUE: 8-17-2005
DKT BY (I) Kpa (C) _____

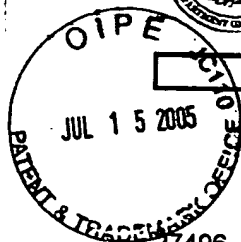
The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.



PCT\$

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/509,143	PCT/GB03/01369	067074- 0312021/PCB/JM/P08

FORM PCT/DO/EO/905 (371 Formalities Notice)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act. 2005 (H.R. 4818).

**FEE TRANSMITTAL
for FY 2005**☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ 65**Complete if Known**

Application Number	10/509,143
Filing Date	September 27, 2004
First Named Inventor	JOHN JENKINS
Examiner Name	
Art Unit	
Attorney Docket No.	067074-0312021

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 161805 Deposit Account Name: See 1 in Addendum

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☐ Charge any additional fee(s) or underpayment of fees(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

WARNING: Information on this form may become public. Credit Card Information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fee Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	100	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims - 20 or HP = Extra Claims X Fee (\$) = Fee Paid (\$) **Multiple Dependent Claims** X Fee (\$) = Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20

Indep. Claims - 3 or HP = Extra Claims X Fee (\$) = Fee Paid (\$)

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets - 100 = Extra Sheets /50= Number of each additional 50 or fraction thereof x Fee (\$) = Fee Paid (\$)

(round up to a whole number) x 125.00 =

4. OTHER FEE(S)

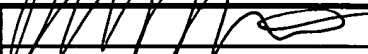
Non-English Specification, 130 fee (no small entity discount)

Other: Late declaration Surcharge

Fee Paid (\$)

65.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	27248	Telephone	213488.7568
Name (Print/Type)	Richard H. Zaiten	Date	July 12, 2005		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Addendum

1. PILLSBURY WINTHROP SHAW PITTMAN LLP